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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,598	04/25/2001	Kouichi Matsuda	206340US6	4766

22850 7590 08/03/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

NANO, SARGON N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/841,598

Applicant(s)

MATSUDA, KOUICHI

Examiner

Sargon N Nano

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the application filed on April 25, 2001. Claims 1 – 4 are pending examination.

2. ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1, line 14 recites the limitation "the data intact" . There is insufficient antecedent basis for this limitation in the claim.

3. ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Morse et al. 5,802,296

As to claim 1, Morse teaches an information processing apparatus which is connected to a server along with other information processing apparatuses through a network and which is supplied with a shared virtual space wherein avatars representing users remain active (see col. 2 line 15 – col. 3 , line 67), said information processing apparatus comprising:

registering means for registering any of said avatars as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 5 Morse teaches choosing certain avatars to be exited ).

filtering means for filtering out data on the avatar registered by said registering means, said data having been transmitted from said server; and (see col. 2 lines 66 – col. 3 line 2, Morse teaches filtering as a log off of other avatar users).

processing means for processing said shared virtual space based on the data left intact following the filtering by said filtering means. (see col. 2 lines 64 – col.3 line 13 Morse teaches the processing means by deleting an avatar ).

As to claim 2, Morse teaches an information processing apparatus according to claim 1, further comprising requesting means for requesting any of said other information processing apparatuses to register the avatar representing the requesting user as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 7 ).

wherein said registering means, in response to the request from the other information processing apparatus, registers the avatar representing the requesting user as an object to be filtered out. (see col. 2 lines 64 – col. 3 line More teaches certain avatar user to leave to a different locale or to exit ).

As to claim 3, Morse teaches an information processing method for use with an information processing apparatus which is connected to a server along with other information processing apparatuses through a network and which is supplied with a shared virtual space wherein avatars representing users remain active, said information processing method comprising the steps of:

registering any of said avatars as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 5 Morse teaches choosing certain avatars to be exited ).

filtering out data on the avatar registered in said registering step, said data having been transmitted from said server; and (see col. 2 lines 66 – col. 3 line 2 Morse teaches a log off of other avatar users).

processing said shared virtual space based on the data left intact following the filtering in said filtering step. (see col. 2 lines 64 – col.3 lines 13 Morse teaches the processing means by deleting an avatar ).

As to claim 4, Morse teaches a storage medium which stores a computer-readable program for use by an information processing apparatus which is connected to a server along with other information processing apparatuses through a network and

which is supplied with a shared virtual space wherein avatars representing users remain active, the program comprising the steps of:

registering any of said avatars as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 5 Morse teaches choosing certain avatars to be exited ).

filtering out data on the avatar registered in said registering step, said data having been transmitted from said server; and (see col. 2 lines 66 – col. 3 line 2 Morse teaches a log off of other avatar users).

processing said shared virtual space based on the data left intact following the filtering in said filtering step. (see col. 2 lines 64 – col.3 lines13 , Morse teaches the processing means by deleting an avatar).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Use Of Avatars With Automatic Gesturing And Bounded Interaction In On-Line Chat Session by Liles et al. U.S Patent No. 5880731.
- Method , Apparatus And Medium For Describing a Virtual Shared Space Using Virtual Reality Modeling Language by Takagi et al. U.S. Patent No. 6493001.
- Three - Dimensional Virtual Reality Space Sharing Method And System Using Local And Global Object Identification Codes by Honda U.S. Patent No. 6020885.

**5. Conclusion**

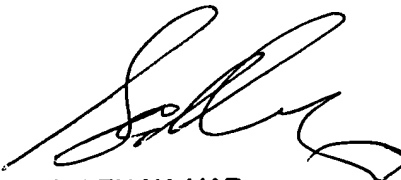
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N Nano whose telephone number is (703) 305-4651. The examiner can normally be reached on Monday – Friday from 8:30 to 5:30

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308- 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano

Patent Examiner/ Art Unit 2157



**SALEH NAJJAR**  
**PRIMARY EXAMINER**